

REMARKS/ARGUMENTS

I. Status of the Claims

After entry of this amendment Claims 1, 4-13, 15-18 and 45 are pending. Claims 1 and 17 are currently amended. Support for the Amendment to Claim 1 can be found throughout the specification, for example support for the full name of ADNF can be found at page 6, line 3-4, and support for the full name of VIP can be found on page 2, line 8. Support for the Amendment to Claim 17 can be found throughout the specification, for example at page 7, lines 24-32. No new matter is added by these Amendments and these are not limiting amendments.

II. Rejection under 35 U.S.C. § 112, Second Paragraph

Claim 1 is rejected for alleged indefiniteness and Claims 4-13, 15-16, 18, and 45 are rejected for being dependent claims from the alleged indefinite claim. In order to expedite prosecution, Claim 1 is currently amended to recite the full names of ADNF (activity dependent neurotrophic factor) and VIP (vasoactive intestinal peptide). In view of this Amendment, Applicants respectfully request the withdrawal of the rejection of Claim 1 and dependent Claims 4-13, 15-16, 18, and 45.

Claim 17 is rejected for alleged insufficient antecedent basis for the limitation "subject". Claim 17 is currently amended to recite "fetus" in place of "subject". In view of this Amendment, Applicants respectfully request withdrawal of the rejection of Claim 17.

It is the Applicants' understanding based on the Office Action of June 10, 2004 (at page 3, paragraph 9) that the claims as amended now overcome the rejection under 35 U.S.C. § 112, second paragraph, and are allowable.

CONCLUSION


In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

Appl. No. 09/267,511
Amdt. dated [insert date]
Reply to Office Action of June 10, 2004

PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


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